

Bill No. 1582-04

No. 16-04-OR

## AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the transfer of 849-853 Braddock Avenue, Braddock, Allegheny County, Pennsylvania to the Redevelopment Authority of Allegheny County

**Whereas**, Article IV, Section 2(k) of the Allegheny County Home Rule Charter vests the Allegheny County Council (hereinafter "Council") with the power and duty by Ordinance to convey land, buildings or other real or personal property owned by the County of Allegheny (hereinafter "County"); and

**Whereas**, on or about June 18, 2003 the County filed a Complaint in Mortgage Foreclosure against the Braddock Enhancement Task Force (hereinafter "BET") as a result of BET defaulting on mortgage on 849-853 Braddock Avenue, Braddock, Allegheny County, Pennsylvania identified as Block and Lot No. 302-E-168, (hereinafter referred to as the "Property"); and

**Whereas**, on December 11, 2003 BET transferred ownership of the Property to the County by a Deed in Lieu of Foreclosure which was recorded at the Allegheny County Recorder of Deeds Office on December 15, 2003 at DBV 11889 Page 462; and

**Whereas**, pursuant to a Resolution of the Redevelopment Authority of Allegheny County dated January 28, 2004 RAAC agreed to act as the temporary administrator for the Property; and

**Whereas**, pursuant to a Resolution of the Redevelopment Authority of Allegheny County dated April 28, 2004, RAAC agreed to take title to the property in order that RAAC would be an eligible subgrantee of CDBG funds that would be used to maintain and improve the Property provided that the Property is utilized to benefit low to moderate income individuals from the Sanders Consent Decree communities consistent with the national objectives of the CDBG program; and

**Whereas**, RAAC has determined that accepting title to the Property and making improvements thereto would promote the public purpose for which the Authority was created; and

**Whereas,** the County Manager has determined that it is no longer in the interest of Allegheny County to maintain the Property; and

**Whereas,** the Council of Allegheny County is of the belief that the transfer of the Property to RAAC will inure to the benefit of the citizens of the County.

***The Council of the County of Allegheny hereby enacts as follows:***

***SECTION 1. Incorporation of the Preamble.***

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

***SECTION 2. Authorization for the Transfer of Ownership of the Property to RAAC.***

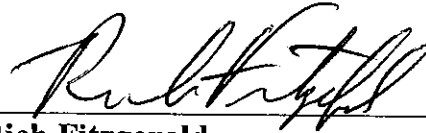
- A. County Council does hereby authorize and approve the transfer of 849-853 Braddock Avenue, Braddock, Allegheny County, Pennsylvania, identified as Block and Lot No. 302-E-168, to RAAC and does hereby further authorize the County Manager to execute a deed and any other documents as may be necessary and proper to carry out the intent and purposes of this Ordinance.
- B. County Council does hereby further authorize the County's Director of the Department of Economic Development or his authorized representative or delegate to take any and all actions necessary, subject to the approval of the County Manager and the County Solicitor, to carry out the authorization of the sale of the Property granted herein.

***SECTION 3. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall continue in full force and effect.***

***SECTION 4. Repealer. Any Ordinance or any part of an Ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.***

Enacted in Council, this 15<sup>th</sup> day of June, 2004.

Council Agenda No. 1582-04.



**Rich Fitzgerald**  
President of Council

Attest:

  
John Mascio  
Clerk of Council

Chief Executive Office June 18, 2004.

Approved:

  
Dan Onorato  
Chief Executive

Attest:

  
Donna Beltz  
Executive's Secretary

**MEMORANDUM**  
**OFFICE OF THE COUNTY MANAGER**

TO: John Mascio  
Chief Clerk

FROM: James M. Flynn, Jr.  
County Manager

DATE: May 27, 2004

RE: Proposed Ordinance

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Attached is a Proposed Ordinance authorizing the transfer of 849-853 Braddock Avenue, Borough of Braddock, to the Redevelopment Authority of Allegheny County.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

Please place this on the next agenda for County Council approval.

Thank you.

**SUMMARY OF LEGISLATION  
TRANSFER OF BET PROPERTY TO RAAC**

In June 2003, the County filed a Complaint in Mortgage Foreclosure against the Braddock Enhancement Task Force (hereinafter "BET") as a result of BET defaulting on mortgage on 849-853 Braddock Avenue, Braddock, Allegheny County, Pennsylvania (the "Property"). In December 2003, BET transferred ownership of the Property to the County by a Deed in Lieu of Foreclosure. The Redevelopment Authority of Allegheny County ("RAAC") agreed to act as the temporary administrator for the Property. RAAC agreed to take title to the property in order that RAAC would be an eligible sub-grantee of CDBG funds that would be used to maintain and improve the Property provided that the Property is utilized to benefit low to moderate income individuals from the Sanders Consent Decree communities consistent with the national objectives of the CDBG program. RAAC has determined that accepting title to the Property and making improvements thereto would promote the public purpose for which RAAC was created. The County Manager has determined that it is no longer in the interest of Allegheny County to maintain the Property. To facilitate this determination by RAAC and the County Manager, it is necessary for County Council to enact an Ordinance approving the County Manger's transfer of the Property to RAAC.